



**CITY OF LODI**  
**COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$104,651.49).

**MEETING DATE:** November 21, 2007 City Council Meeting

**PREPARED BY:** City Attorney's Office

**RECOMMENDED ACTION:** That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$99,966.81, and various other cases being handled by Outside Counsel in the amount of \$4,684.68.

**BACKGROUND INFORMATION:** Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

**Folger Levin & Kahn - Invoices Distribution**

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8001	105040	Oct. 2007	General Advice	496.82
8003	105041	Oct. 2007	Hartford v. Col	3,826.63
8008	105077	Oct. 2007	City of Lodi v. Envision	93,848.50
Total				\$98,171.95

**Kronick Moskowitz Tiedemann & Girard - Invoices Distribution**

Matter No.	Invoice No.	Date	Description	100351.7323	Water Acct.
11233.026	235371	10/25/07	Lodi First v. City of Lodi	619.71	
11233.027	235371	10/25/07	Citizens for Open Government v.	1,016.25	
11233.028	235371	10/25/07	Personnel and Employment	1,275.35	
11233.029	235371	10/25/07	AT&T v. City of Lodi	1,702.87	
11233.030	235371	10/25/07	Water Supply Issues-NotPce Related		70.50
Total				4,614.18	\$70.50

**MISCELLANEOUS**

Invoice No.	Date	Description	Water Account Amount
1362530-110	Oct. 2007	JAMS Mediation Services	772.95
61008	Oct. 2007	Mason Investigative Group	1,021.91
			\$1,794.86


**APPROVED:**

Blair King, City Manager

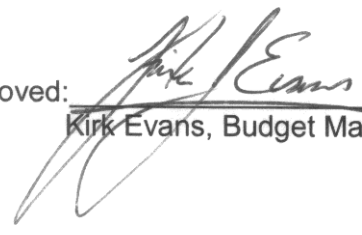
**FISCAL IMPACT:** Expenses in the amount of \$4,614.18 will be paid out of the General Fund and \$1,635.96 billed to Walmart for City's defense of the Lodi First litigation and Citizens for an Open Government. The remaining expenses will be paid out of the Water Fund.

**FUNDING AVAILABLE:**

Water Fund	\$100,037.31
General Fund	\$ 4,614.18

  
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Stephen Schwabauer, City Attorney

Approved: \_\_\_\_\_

  
Kirk Evans, Budget Manager